



PATENT  
ATTORNEY DOCKET NO. PROV1110-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Krall et al. Art Unit: 1616  
Application No.: 09/863,825 Examiner: Choi, F.  
Filed: May 23, 2001  
Title: POLYMERIZABLE COMPOSITIONS AND METHODS OF USE

Commissioner for Patents  
Washington, D.C. 20231

RECEIVED  
DEC 20 2002  
TECH CENTER 1600/2900  
10/2

TERMINAL DISCLAIMER

Sir:

The undersigned, attorney of record for Petitioner, PROVASIS THERAPEUTICS, INC. (formerly Prohold Medical Technologies, Inc.), with its place of business at 9275 Sky Park Court, Suite 125, San Diego, California 92123-5310, represents that Petitioner is the Assignee of all interest in Application No. 09/863,825, filed May 23, 2001, entitled POLYMERIZABLE COMPOSITIONS AND METHODS OF USE as evidenced by the Assignment recorded in the United States Patent and Trademark Office on August 20, 2001, at Reel 012094, Frame 0625.

The evidentiary documents referred to herein have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the Assignee.

Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, PROVASIS THERAPEUTICS, INC., disclaims the terminal part of any patent granted on the above-

~~12/18/2002 DENMANU1 00000022 09863825~~

01 FC:1814

110.00 OP

12/18/2002 DENMANU1 00000051 09863825

01 FC:2814

55.00 OP

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on December 9, 2002, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231

*Karen LePari*

Karen LePari

In re Application of:

Krall et al.

Application No.: 09/863,825

Filed: May 23, 2001

Page 2

PATENT

Attorney Docket No.: PROV1110-3

identified Application No. 09/863,825 which would extend beyond the expiration date of U.S. Patent No. 6,037,366. Petitioner hereby agrees that any patent so granted on the above-identified application, No. 09/863,825, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,037,366, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

Enclosed is a check in the total amount of \$110.00 to cover the Terminal Disclaimer fee for both Terminal Disclaimers submitted herewith. The Commissioner is authorized to charge any other fees or credit any overpayment to Deposit Account No. 50-1355.

Respectfully submitted,

Date: December 9, 2002



Lisa A. Haile, Ph.D.

Registration No. 38,347

Telephone: (619) 677-1456

Facsimile: (619) 677-1465

GRAY CARY WARE & FREIDENRICH LLP

4365 Executive Drive, Suite 1100

San Diego, California 92121-2133

USPTO Customer Number 28213